

**Queensland**



**Subordinate Legislation 1997 No. 42**

*Superannuation (State Public Sector) Act 1990*

**SUPERANNUATION (STATE PUBLIC  
SECTOR) AMENDMENT OF DEED  
REGULATION (No. 1) 1997**

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**AMENDMENTS OF THE DEED OF THE STATE PUBLIC  
SECTOR SUPERANNUATION SCHEME**

**Short title**

1. This regulation may be cited as the *Superannuation (State Public Sector) Amendment of Deed Regulation (No. 1) 1997*.

**Deed amended**

2. This regulation approves the amendments of the Deed of the State Public Sector Superannuation Scheme set out in the schedule.

**Commencement**

3.(1) Amendments 2 to 4, 6, 15 to 22, 24 to 27, 29 to 33, 35, 37, 38, 41 to 50, 52, 54 to 59 and 61 in the schedule are taken to have commenced on 15 May 1996.

(2) Amendment 62 is taken to have commenced on 1 July 1996.

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## SCHEDULE

### AMENDMENTS OF THE DEED OF THE STATE PUBLIC SECTOR SUPERANNUATION SCHEME

section 2

**1. Section 1.4, heading—**

*omit, insert—*

‘Definitions’.

**2. Section 1.4, definitions “Actuary”, “actuary”, “member”,  
“prospective membership”, “standard compulsory rate” and  
“voluntary contribution and preservation account”—**

*omit.*

**3. Section 1.4, definitions “annual compulsory contribution rate”,  
“annual review date salary”, “authorised leave”, “child”, “compulsory  
contributions”, “contributory membership”, “employer” and “review  
year”, ‘a member’—**

*omit, insert—*

‘an employed member’.

**4. Section 1.4, definitions “permanent and partial disablement” and  
“temporary disablement”, ‘the member’—**

*omit, insert—*

‘an employed member’.

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SCHEDULE (continued)

**5. Section 1.4—**

*insert—*

‘ **“actuary”** means the actuary appointed under section 3.4 to advise the board.’.

**6. Section 1.4—**

*insert—*

‘ **“employed member”** means a person—

- (a) who is a member or employee of, or engaged by, a unit of the State public sector; and
- (b) whose membership has commenced under section 4.1.

**“member”** means—

- (a) an employed member; or
- (b) a person who was a member or employee of, or engaged by, a unit of the State public sector and whose voluntary contribution and preservation account—
  - (i) contains an amount; or
  - (ii) is to be credited with a benefit on the occurrence of an event mentioned in section 7.10(2).

**“prospective membership”**, for an employed member, means the period expressed in years and any part of a year from the death or disablement of the member to the member’s 55th birthday.

**“standard compulsory rate”**, for an employed member, means—

- (a) 5%; or
- (b) if, under a notice under section 13 of the Act, another rate is fixed for the member as a special condition of membership—the other rate.

**“voluntary contribution and preservation account”** means the account established under section 6.1 for an employed member.’.

## SCHEDULE (continued)

**7. Section 1.4(e), (g) and (h)—**

*omit.*

**8. After section 1.4—**

*insert—*

**‘Single unit of the State public sector**

‘**1.4A** For this deed, all departments are taken to be a single unit of the State public sector.’.

**9. Section 3.1(g), ‘2/7 of’—**

*omit.*

**10. Section 3.2(2), ‘Treasury’ to ‘Act’—**

*omit, insert—*

‘Investment Corporation as investment manager of the fund’.

**11. Section 3.3, heading—**

*omit, insert—*

**‘Investment manager’s obligations’.****12. Section 3.3(1), ‘3.2(2)’—**

*omit, insert—*

‘11(6)’.

## SCHEDULE (continued)

**13. Section 3.4, ‘Actuary’—**

*omit, insert—*

‘actuary’.

**14. Section 3.4—**

*insert—*

‘(2) A person appointed under subsection (1) must be a fellow or an accredited member of the Institute of Actuaries of Australia.’.

**15. Section 4.1, ‘The membership of a member’—**

*omit, insert—*

‘A person’s membership’.

**16. Sections 4.1(a)(i), 4.3(1) and (2), 5.1(2), (4), (5) and (6), 5.2, 7.1, 7.4(1), 7.6(1), 7.7, 7.8(1), (5) and (5A), 7.9(1), 7.11, 7.13(1), 9.1, 11.7(2), (3), (4) and (7) and schedule 1, item 6 (first mention), ‘a member’—**

*omit, insert—*

‘an employed member’.

**17. Sections 4.3(1), 5.1(3), 7.4(2) and 11.7(1), ‘A member’—**

*omit, insert—*

‘An employed member’.

**18. Section 4.3(3)—**

*omit.*

## SCHEDULE (continued)

**19. Section 5.1(1), ‘in respect of each member’—**

*omit, insert—*

‘for each employed member’.

**20. Section 5.3(1), ‘in respect of a member’—**

*omit, insert—*

‘for an employed member’.

**21. Section 5.5, ‘a member’s’—**

*omit, insert—*

‘an employed member’s’.

**22. Section 5.6(1), before ‘member’s’—**

*insert—*

‘employed’.

**23. Section 5.6(1A), ‘4.13.1(1)’—**

*omit, insert—*

‘28(1)’.

**24. Section 5.6A(c), ‘while the member’—**

*omit, insert—*

‘while the employed member’.

## SCHEDULE (continued)

**25. Section 6.1, ‘as the case’ to ‘Member,’—***omit, insert—*

‘for each member’.

**26. Section 6.1(e), ‘or the former member’—***omit.***27. Section 6.2(a), ‘while’ to ‘employer’—***omit, insert—*

‘for an employed member’.

**28. Section 6.3, heading, ‘Withdrawals’—***omit, insert—*

‘Voluntary withdrawals’.

**29. Section 6.3(1), ‘While’ to ‘the person’—***omit, insert—*

‘An employed member’.

**30. Section 6.3(1), ‘person’s’—***omit, insert—*

‘member’s’.

**31. Section 6.3(1A)—***omit, insert—*

‘(1A) A person who was an employed member or the person’s legal

## SCHEDULE (continued)

personal representative may withdraw all or part of the amount in the person's voluntary contribution and preservation account.'

**32. Section 6.3(2), 'a person'—**

*omit, insert—*

'a member'.

**33. Section 6.3(2), 'person's'—**

*omit, insert—*

'member's'.

**34. After section 6.3, in part 6—**

*insert—*

**'Compulsory withdrawals from the voluntary contribution and preservation account**

**'6.4(1)** This section applies if—

(a) a member—

(i) has a benefit under the scheme credited to the member's voluntary contribution and preservation account under section 7.14; or

(ii) who is 65 years or over and ceases to be employed for at least 10 hours a week; and

(b) the member does not within 28 days after the happening of an event mentioned in paragraph (a) elect, under section 11.3, to purchase a pension.

**'(2)** The board must as soon as practicable withdraw the amount in the member's voluntary contribution and preservation account and pay it to the member.'

## SCHEDULE (continued)

**35. Sections 7.2(1) and 7.3(1), ‘The member’s’—***omit, insert—*

‘The employed member’s’.

**36. Sections 7.2(2) and 7.3(2), ‘Schedule 1’—***omit, insert—*

‘the schedule’.

**37. Section 7.4(2A)(c)(i), ‘of a member’—***omit, insert—*

‘of an employed member’.

**38. Section 7.4(2A)(c)(ii), before ‘member’—***insert—*

‘employed’.

**39. Section 7.4(2A), words after ‘735%’—***omit.***40. Section 7.4—***insert—*

‘(2B) However, the maximum annual pension payable is 75% of FS.

‘(2C) The annual pension is to be indexed under section 7.12.’.

## SCHEDULE (continued)

**41. Section 7.4(4), before ‘member’—***insert—*

‘employed’.

**42. Section 7.5, ‘A member’s’—***omit, insert—*

‘An employed member’s’.

**43. Section 7.6(2), before ‘member’—***insert—*

‘employed’.

**44. Section 7.8(4), before ‘member’—***insert—*

‘employed’.

**45. Section 7.8(6), ‘to a member’—***omit, insert—*

‘to an employed member’.

**46. Section 7.10(1), ‘employment with the employer’—***omit, insert—*

‘to be an employed member’.

## SCHEDULE (continued)

**47. Section 7.10(2) and 7.13(1), ‘person’—***omit, insert—*

‘member’.

**48. Section 7.13, heading, before ‘members’—***insert—*

‘employed’.

**49. Section 7.14, heading, before ‘member’—***insert—*

‘employed’.

**50. Section 7.14, ‘a member’s’—***omit, insert—*

‘an employed member’s’.

**51. Sections 8.2 and 8.3, ‘4.14’—***omit, insert—*

‘29’.

**52. Section 9.3, ‘a person’—***omit, insert—*

‘an employed member’.

## SCHEDULE (continued)

**53. Section 10.2(2), ‘3.4(4)’—***omit, insert—*

‘13(4)’.

**54. Section 11.1(a), ‘a member’s’—***omit, insert—*

‘an employed member’s’.

**55. Section 11.3(1), before ‘members’—***insert—*

‘employed’.

**56. Section 11.4, before ‘member’—***insert—*

‘employed’.

**57. Section 11.4, before ‘member’s’—***omit, insert—*

‘employed’.

**58. Section 11.7(2A), ‘by the member’—***omit, insert—*

‘by the employed member’.

SCHEDULE (continued)

**59. Section 11.7(6), before ‘member’—**

*omit, insert—*

‘employed’.

**60. After section 11.7, in part 11—**

*insert—*

**‘Numbering and renumbering of deed**

‘**11.8** In the next reprint of this deed produced under the *Reprints Act 1992*, the provisions of this deed must be numbered and renumbered as permitted by the *Reprints Act 1992*, section 43.’.

**61. Schedule 1, heading—**

*omit, insert—*

**‘SCHEDULE**

**‘PERCENTAGES FOR BENEFITS’.**

**62. Schedule 1, before ‘members’—**

*omit, insert—*

‘employed’.

**63. Schedule 1, section 4—**

*omit.*

## SCHEDULE (continued)

**64. Schedule 1, section 6 (first mention), ‘(1) The’—***omit, insert—*

‘The’.

**65. Schedule 1, section 6 (first mention), ‘Actuary’—***omit, insert—*

‘actuary’.

**66. Schedule 1, section 6 (second mention)—***renumber* as section 7.

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## ENDNOTES

1. Made by the Governor in Council on 6 March 1997.
2. The amendments approved in this regulation were made by the Board of Trustees on 19 February 1997.
3. Notified in the gazette on 7 March 1997.
4. Laid before the Legislative Assembly on . . .
5. The administering agency is the Government Superannuation Office.